

## **REMARKS**

Claims 1, 2, 4, 6, 7 and 10 were presented, examined and stand rejected. In response to the Final Office Action, Claims 1 and 6 are amended. No claims are added and no claims are cancelled. Claims 3, 5, 8 and 9 were previously cancelled. Claims 1, 2, 4, 6, 7 and 10 remain in the application. Reconsideration is respectfully requested in view of the foregoing amendments and the remarks that follow.

### **I. Objection to the Claims**

Claim 6 is objected to because the phrase “the number of users” has antecedent basis problems. Applicants have amended Claim 6 to overcome the antecedent basis problems. Applicants respectfully request the Examiner withdraw the objection to Claim 6.

### **II. Rejection of the Claims under 35 U.S.C. § 103**

Claims 1, 2, 4, 6, 7 and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over the background of invention further in view of U.S. Publication No. 6,449,466 of Posti (“Posti”).

Applicants amend independent Claims 1 and 6 to more clearly point out that the updating periods are set such that “the transfer function of each channel is obtained within a variation period of the transfer function.” Support for the amendment can be found, for example, at page 12, line 28 to page 13, line 5 of the application as originally filed. Applicants submit that the background and Posti fail to disclose these limitations.

The Examiner admits that the background and Posti do not disclose that an updating period of the error compensation coefficient is faster than an updating period of the non-linear coefficients (page 5 of the Action). However, the Examiner indicates that the updating periods is a matter of design choice.

Applicants submit that the amended limitations clearly point out that the updating periods are not an arbitrary design choice. Rather, the updating periods are set to provide the transfer function of each channel to be within a variation period of the transfer function, as recited in amended Claims 1 and 6.

Further, "design choices" are discussed in the Manual of Patent Examining Procedure (MPEP) §144.04(VI)(C), but only insofar that they constitute a rearrangement of parts. The subject matter recited in Claims 1 and 6 is not a "rearrangement of parts," because the updating periods of different coefficients are not "parts." Also, the "the mere fact that a worker in the art could rearrange the parts of the reference device to meet the terms of the claims on appeal is not by itself sufficient to support a finding of obviousness. To establish a prima facie case of obviousness, the Examiner must set forth "some articulated reasoning with some rational underpinning to support the conclusion of obviousness." See *KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385, 1396 (2007). The cited references do not provide any rationale for updating error compensation coefficients faster than non-linear coefficients.

For at least the foregoing reasons, Claims 1, 2, 4, 6, 7 and 10 are non-obvious over the background of the invention further in view of Posti. Accordingly, withdrawal of the rejection of Claims 1, 2, 4, 6, 7 and 10 is requested.

### CONCLUSION

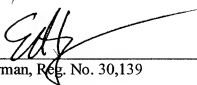
In view of the foregoing, it is believed that all claims are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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1279 Oakmead Parkway  
Sunnyvale, CA 94085-4040  
(310) 207-3800

  
Eric S. Hyman, Reg. No. 30,139

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Marilyn Bass

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